

REMARKS/ARGUMENTS

In the present application, claims 1-21 are pending. Claims 1-21 are rejected. Claims 1, 10, 16, and 21 have been amended. As a result of this response, claims 1-21 are believed to be in condition for allowance.

Specification

The Examiner objected to the specification for containing an embedded hyperlink and/or other form of browser-executable code. The paragraph beginning on line 9 of page 3 has been amended to remove the cited hyperlink. As a result, Applicant respectfully traverses the Examiner's objection.

Claim Rejections under 35 USC §112

The Examiner rejected claim 21 for containing subject matter "which was not described in the specification in such a way as to enable one skilled in the art to which it pertains ... to make and/or use the invention." Specifically, the Examiner asserts that the "salutation discovery protocol" is not described in sufficient detail as the standard is "proposed" and "not commercially available". Claim 21 is amended herein to remove the reference to use of the "salutation discovery protocol". As a result, Applicant respectfully traverses the Examiner's grounds for rejection. Claim 21 is therefore in condition for allowance.

Claim Rejections under 35 USC §102

The Examiner rejected claims 1-2, 4-5, 10-11, and 13 as being anticipated by Matsuda et al. (2002/0133573). The Examiner asserted that Matsuda et al. teach the elements of the aforementioned claims. Specifically, the Examiner asserted that Matsuda et al. teach "invoking a network discovery function (Matsuda: page 3, paragraphs 35-36); executing the invoked network discovery function for examining the network using individual ones of a plurality of network configuration discovery protocols (Matsuda: page 3, paragraphs 34-36) that are executed sequentially (Matsuda: Fig. 6, page 6, para 60); and while executing the invoked network discovery function, building a list containing discovered network configuration information (Matsuda: page 3, paragraph 36).

While maintaining the validity of the arguments put forth previously, claim 1 has been amended to more clearly define the sequential execution of the network configuration discovery protocols. As a result of this amendment, as discussed more fully below, claim 1 is further distinguished from the cited prior art.

Claim 1, as amended, reads, in relevant part:

executing the invoked network discovery function for examining the network
using individual ones of a plurality of network configuration discovery
protocols that are executed sequentially; and

while executing the invoked network discovery function, building a list
containing network configuration information discovered from said use of
said individual ones of said plurality of network configuration discovery
protocols.

As amended, it is made clear that building the list containing network configuration information is the result of the “use of said individual ones of said plurality of network configuration discovery protocols”. The relevance of this amendment is made clear upon examination of the Examiner’s response to the Applicant’s arguments. Specifically, the Examiner asserts that “This explicitly illustrates the discovery of the DHCP server and DHCP services to establish an IP address for the client. The plurality of protocols is taught as by the presence of DNS, DHCP protocols and the service discovery to gather information.”

As noted above, the Examiner cites page 3, paragraph [0036] as teaching “while executing the invoked network discovery function, building a list containing discovered network configuration information”. Specifically, at the above noted citation, Matsuda et al. teaches “Service discovery is accomplished within the disclosed automatic network configuration. A designated service device utilizes a **unique protocol** to gather individual service lists from multiple NOA devices on a network. In doing so, the service device creates a master service list ...”. (emphasis added) While making no admission that the asserted discovery of the DHCP server constitutes the use of a network configuration discovery protocol as part of executing the

invoked network discovery function as claimed, it is clear that Matsuda et al. does not utilize a DHCP discovery protocol as part of a function to build a list containing network configuration data. Matsuda et al. is seen to build the master service list by accumulating individual service lists from each of multiple NOA devices, but each individual service list is discovered by the same unique protocol. Claim 1 recites that the list is “discovered from said use of said individual ones” where the plural “ones” invokes more than a single discovery protocol.

In fact, as noted above, Matsuda et al. makes explicitly clear that, to create a master list, there is a “unique” and, hence, one and only one, protocol utilized. As such, Matsuda et al. fails to teach or otherwise suggest “building a list containing network configuration information discovered from said use of said individual ones of said **plurality** of network configuration discovery protocols” as claimed. As a result, Applicant respectfully traverses the Examiner’s grounds for rejection with regard to claim 1. Claim 1 is therefore in condition for allowance. As claims 2 and 4-5 depend on claim 1, they are likewise in condition for allowance.

Claim 10 has been amended in a manner similar to claim 1 and, for the reasons discussed above, is likewise in condition for allowance. As claims 11 and 13 depend upon claim 10, they are therefore in condition for allowance.

Claim Rejections under 35 USC §103

The Examiner rejected claims 3 and 12 as being unpatentable over Matsuda et al. in view of Funk et al. (5,937,162). The Examiner asserts that, while Matsuda et al. do not explicitly teach using specific DNS protocols, Funk et al. do so teach and that the combination of the teachings of Funk et al. and Matsuda et al. would serve to teach the use of specific DNS protocols. Applicant notes that Funk et al., like Matsuda et al., do not teach, “building a list containing network configuration information discovered from said use of said individual ones of said plurality of network configuration discovery protocols” as claimed. As a result, the combination of the teachings of Funk et al. and Matsuda et al., such a combination neither suggested nor deemed appropriate, similarly fails to teach this element of claim 1, upon which claim 3 depends. As a result, claim 3 is in condition for allowance. For the reasons similar to those discussed above, claim 13, which depends on claim 10, is likewise in condition for allowance.

The Examiner rejected claims 6-9, 14-17, and 19-20 as being unpatentable over Matsuda et al. in view of Pearlman et al. (5,128,926). The Examiner asserts that, while Matsuda et al. do not explicitly teach storing the list in a database, Pearlman et al. do so teach and that the combination of the teachings of Pearlman et al. and Matsuda et al. would serve to teach the elements of claim 6. Applicant notes that Pearlman et al., like Matsuda et al., do not teach, “building a list containing network configuration information discovered from said use of said individual ones of said plurality of network configuration discovery protocols” as claimed. As a result, the combination of the teachings of Pearlman et al. and Matsuda et al., such a combination neither suggested nor deemed appropriate, similarly fails to teach this element of claim 1 upon which claims 6-9 depend. As a result, claims 6-9 are in condition for allowance. For reasons similar to those discussed above, claims 14-15, which depend on claim 10, are likewise in condition for allowance. Claim 16 is amended herein to recite, similar to claim 1, that the network configuration information is “discovered from said use of said individual ones of said plurality of network configuration discovery protocols”. As a result, for the reasons discussed above, claim 16 is in condition for allowance. As claims 17, 19, and 20 depend upon claim 16, claims 17, 19, and 20 are likewise in condition for allowance.

The Examiner rejected claim 18 as being unpatentable over Matsuda et al. in view of Pearlman et al. in further view of Funk et al. For the reasons discussed above, the combination of these three references, such a combination neither suggested nor deemed appropriate, fails to teach network configuration information “discovered from said use of said individual ones of said plurality of network configuration discovery protocols” as claimed. As a result, claim 18 is in condition for allowance.

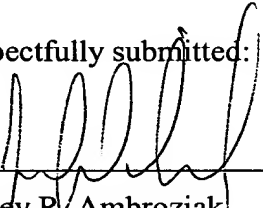
Lastly, the Examiner rejected claim 21 as being unpatentable over Matsuda et al. in view of “Resource discovery protocol for mobile computing” in Mobile Networks and Applications by Perkins et al. The Examiner asserts, among other things, that Matsuda et al. teaches “executing the invoked network discovery function for examining the network using a SLP discovery protocol (Matsuda: page 8, para 85).” Applicant respectfully notes that, at the Examiner’s citation, Matsuda et al, in fact, teach the possibility if using SLP **syntax** when creating the service list. Matsuda et al. make no mention or suggestion of “executing the invoked network discovery function for examining the network using a **SLP discovery protocol**” (emphasis

added) as claimed. Likewise, Perkins et al. fail to teach this element. As a result, the combination of the teachings of Perkins et al. and Matsuda et al., such a combination neither suggested nor deemed appropriate, similarly fails to teach this element of claim 21. As a result, claim 21 is in condition for allowance.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

Respectfully submitted:



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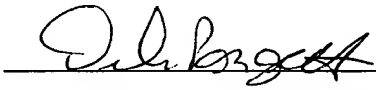
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November 30, 2005 
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